

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-17 were pending in this application. Claims 1, 5, 8, 10, 11, 13, and 16 have been amended. Applicants respectfully submit claims 1-17 for reconsideration.

Applicants have amended paragraphs [0017] and [0026] of the application to insert the serial numbers of the co-pending applications referenced in the application.

The Office Action objects to claims 1, 5, 8, 10, 11, 13, and 16 because, according to the Office Action, the phrase “at least one” should precede each mention of the “ventilation panel.” Applicants have amended the claims as suggested by the Office Action. Applicants also have amended claims 1, 8, 10, 11, and 16 to include the phrase “at least one” before each mention of the “side panel.”

Claims 1-17 are rejected under 35 USC §102(b) as anticipated by Wagner et al. (USP 6,178,573). Applicants request withdrawal of this rejection for at least the following reason.

Independent claim 1, as amended, defines a child containment structure that includes “a continuous, fabric sidewall having a lower edge connected to a perimeter of the floor and defining a unitary structure with the floor.” Wagner et al. does not teach or suggest such a sidewall. Rather, Wagner et al. discloses a fabric crib bumper that is connectable to vertical posts of a crib and that remains spaced from the flooring of the crib. The crib bumper does not connect to a perimeter of the floor and does not define a unitary structure with the floor. For at least this reason, Applicants submit claim 1 and its dependent claims 2-9 are not anticipated by Wagner et al.

Independent claim 10, as amended, defines a child containment structure that includes “a continuous sidewall including at least one padded side panel and at least one ventilation panel positioned between the floor and the at least one side panel, the sidewall having a lower edge connected to a perimeter of the floor to define a unitary structure with the floor.” As stated above, Wagner et al.’s crib bumper does not connect to a perimeter of the floor and

does not define a unitary structure with the floor. For at least this reason, Applicants submit claim 10 and its dependent claims 11-17 are not anticipated by Wagner et al.

Claims 1-8 and 10-16 are rejected under 35 USC §103(a) as unpatentable over Burbidge et al. (USP 3,894,304) in view of Schettler Jr. (USP 2,287,907). Applicants request withdrawal of this rejection for at least the following reason.

As mentioned above, the child containment structure of independent claim 1 includes “a continuous, fabric sidewall having a lower edge connected to a perimeter of the floor and defining a unitary structure with the floor,” and the child containment structure of independent claim 10 includes “a continuous sidewall including at least one padded side panel and at least one ventilation panel positioned between the floor and the at least one side panel, the sidewall having a lower edge connected to a perimeter of the floor to define a unitary structure with the floor.” Neither Burbidge et al. nor Schettler Jr., either singly or in any reasonable combination, teach or suggest the sidewall of claim 1 or the sidewall of claim 10. For at least this reason, Applicants submit that claims 1-8 and 10-16 would have not been rendered obvious by Burbidge et al. and Schettler Jr under 35 USC §103(a).

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 CFR 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 18, 2005

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